

REMARKS

This amendment is in response to the Office Action mailed May 20, 2008. Claims 1-27 are pending in the application. Claim 27 is amended.

Applicant wishes to thank the Examiner for recognizing in paragraph 3 of the Office Action that claims 2-13 and 15-26 are allowable. Applicants respectfully defers re-writing these claims in independent form until final resolution of the rejected claims.

Claim 27 has been rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Claim 27 has been amended using the Examiner's suggested wording to overcome this rejection.

In paragraph 2 of the Office Action, claims 1, 14 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,085,697 to Rappaport et al. (Rappaport) in view of U.S. Patent No. 6,470,195 to Meyer (Meyer). The Examiner's rejection on this ground is respectfully traversed.

Among the limitations of independent claim 1 which is neither disclosed nor suggested in the art of record are a requirement that the method comprise "reception points arranged within said observation region are divided into groups for singular or plural reception points," and "said reception determination processing is applied to reception point groups." The Office Action admits on page 3 that "Rappaport does not teach the reception points are arranged into groups in the observation region for singular or plural reception point grouping." Indeed, because Rappaport fails to disclose such grouping, it cannot disclose that such determination processing "is applied to reception point groups." Meyer fails to cure this deficiency in Rappaport.

Meyer discloses a cellular network in which each cell is subdivided into three sectors of the same size. Meyer fails to disclose that points within any sector are grouped together, or that reception determination processing is applied to any of these groups of points, as required by claim 1. In fact, Meyer proposes that all points within the sector can receive the signals broadcast by the respective antennas for their sector. In the absence of any disclosure or

suggestion of the above described features of the claimed invention, claim 1 is believed to be in condition for allowance.

Claims 14 and 27 recite similar limitations, and are therefore are allowable for the same reasons as those expressed above in connection with claim 1.

In addition, neither Rappaport nor Meyer concerns predicting a path of "a ray provided within an observation region" as required by the claims. For at least this additional reason, independent claims 1, 14 and 27 are allowable over the cited prior art.

Claim 2-13 and 15-26 depend from claim 1 and 14 respectively and incorporate by reference all the limitations found therein, and are therefore allowable for the same reasons.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: July 24, 2008

Respectfully submitted,

By 

Robert G. Gingher

Registration No.: 45,765

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant